



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj

Docket No: 4672-99

13 October 1999

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 October 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 20 September 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
20 Sep 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD
Via: PERS-OOZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 15 Jul 99
(b) NAVADMIN 181/94

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to petitioner's request.

- Petitioner reenlisted on 28 Apr 1995 for 6 years and received a zone "A" SRB entitlement with an award level of 2.5 for the FT(0000). Petitioner's EAOS at the time was 28 Apr 1995.

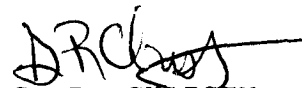
- Reference (b) released on 27 Sep 1994 with an effective date of 31 Oct 1994 through 15 Mar 1995, carried a zone "A" SRB entitlement for the FT(1174) rate/NEC with an award level of 3.0.

- Petitioner requests to backdate the reenlistment of 28 Apr 1995 to be within an eligible timeframe in reference (b).

- Per reference (b), the early SRB reenlistment window is within one month of EAOS. Petitioner's EAOS at the time was 28 Apr 1995 and reference (b) eligible window closed on 15 Mar 1995. Therefore, petitioner was not eligible to reenlist for the zone "A" SRB entitlement offered in reference (b).

2. In view of the above, recommend that petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


S. R. CHRISTY
Head,
Reenlistment Incentives Branch